



UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
Paula Xinis
UNITED STATES DISTRICT JUDGE

6500 Cherrywood Lane
Greenbelt, MD 20770
(301) 344-0653

December 12, 2023

Re: 23-cv-3363, *Media Matters v. Paxton*

LETTER ORDER

Dear Parties:

Pending before the Court is Plaintiffs Media Matter for America (“Media Matters”) and Eric Hananoki’s motion for temporary and preliminary injunctive relief. ECF No. 2. Plaintiffs have not served on Defendant either the Complaint or its motion. The Court may only issue a temporary restraining order without notice to the nonmoving party if the moving party provides the Court with an affidavit or verified complaint that “clearly show[s] that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard” *and* “the movant’s attorney certifies in writing any efforts made to give notice [to the nonmoving party] and the reasons why it should not be required.” Fed. R. Civ. P. 65(1)(A)–(B).

Plaintiffs have provided three affidavits ostensibly in support of the immediacy and irreparability of the harm that would flow from responding to Defendant’s Civil Investigative Demand. *See* ECF Nos. 2-2, 2-3, 2-4. However, Plaintiffs have not submitted any evidence of efforts made to give notice to Defendant, nor have they explained why notice should not be required. Accordingly, the motion at ECF No. 2 is DENIED without prejudice.

Although informal, this correspondence constitutes an Order of the Court and shall be docketed as such.

Sincerely,

/s/
PAULA XINIS
United States District Judge